

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

NOTICE AND ORDER

This matter comes before the Court on Plaintiff's Motion for Leave of Court to file a Summary Reply. Dkt. 16. Defendant Revature LLC has filed a Motion to Dismiss in this case. Dkt. 5. Defendant provided a notice pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975). In accordance with that notice, Plaintiff filed an opposition brief. The Court will grant Plaintiff's Motion and out of an abundance of caution provide its own notice pursuant to *Roseboro* following the Fourth Circuit's recent decision in *Milla v. Brown*, 109 F.4th 222 (4th Cir. 2024).

Accordingly, it is hereby **ORDERED** that Plaintiff's Motion for a Sur-Reply (Dkt. 16) is **GRANTED** and that Plaintiff may file her sur-reply within **twenty-one (21) days of this Notice and Order**; and it is

FURTHER ORDERED that Defendant may file a response to Plaintiff's filing within six (6) days of service of Plaintiff's sur-reply; and it is

FURTHER ORDERED that, in accordance with *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), Plaintiff is hereby **NOTIFIED** that an opposing party has filed a motion to dismiss that, if granted, could result in the dismissal of some or all of Plaintiff's claims.

Plaintiff is **ADVISED** that Plaintiff is entitled to file a response, in this case a sur-reply, opposing the Motion **within twenty-one (21) days** of the filing date of this Notice. Plaintiff is **FURTHER ADVISED** that the Court could dismiss some or all of Plaintiff's claims on the basis of the moving party's papers if Plaintiff does not file a response.

If Plaintiff submits a sur-reply, Defendant(s) may file a reply **within six (6) days** after the service of Plaintiff's sur-reply. *See* E.D. Va. Loc. Civ. R. 7(F)(1). Thereafter, “[n]o further briefs or written communications may be filed without first obtaining leave of Court.” *Id.*

IT IS SO ORDERED.

Alexandria, Virginia
November 13, 2024

/s/ 
Rossie D. Alston, Jr.
United States District Judge